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TO

Confirm four Provisional Orders made by the Local Government Board for Ireland under the Public Health (Ireland) Act, 1878, relating to the Purchase of Lands for Waterworks for the towns of Athlone, Castletown-Berehaven, Cookstown, and Skibbereen. A.D. 1892.

WHEREAS the Local Government Board for Ireland have made the Provisional Orders set forth in the Schedule hereto, under the provisions of the Public Health (Ireland) Act, 1878: 41 & 42 Vict. c. 52.

And whereas it is requisite that the said Orders should be confirmed by Parliament:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. The orders set out in the Schedule hereto shall be and the same are hereby confirmed, and shall be construed as part of this Act, and all the provisions thereof shall have full validity and force. Orders in schedule confirmed.

2. This Act may be cited as the Local Government Board (Ireland) Provisional Orders Confirmation (No. 8) Act, 1892. Short title.

A.D. 1892.

## SCHEDULE.

### THE LOCAL GOVERNMENT BOARD FOR IRELAND.

*Athlone.*

### ATHLONE WATERWORKS.

#### PROVISIONAL ORDER.

WHEREAS the Town Commissioners of the town of Athlone elected under the 17 & 18 Vict. Towns Improvement (Ireland) Act, 1854 (herein-after called the sanitary c. 103. authority) are the urban sanitary authority of the urban sanitary district consisting of the said town, and are incorporated under the title of the sanitary authority of the said district, and are about to construct waterworks for the purposes thereof, and have presented a petition to the Local Government Board for Ireland (herein-after called the Local Government Board) praying that they may be allowed to put in force the powers of the Lands Clauses Acts with respect to the purchase and taking of land otherwise than by agreement with reference to certain lands and premises required for the purposes of the said works :

And whereas the sanitary authority have deposited in the office of the Local Government Board in Dublin plans and a book of reference (herein-after called the deposited plans and book of reference) showing the works intended to be executed and the lands and premises proposed to be taken for the purposes of the said works :

And whereas all advertisements and notices required by the Public Health (Ireland) Act, 1878, having been previously duly published, served, and given, the Local Government Board have caused a local inquiry to be made as to the propriety of assenting to the prayer of the said petition, and it appears to the Local Government Board to be proper to assent thereto :

It is ordered by the Local Government Board as follows :—

1. From and after the confirmation of this Order by Parliament, the sanitary authority shall be empowered to put in force the powers of the Lands Clauses Acts with respect to the purchase and taking of lands otherwise than by agreement with reference to the lands and premises described in the deposited plans and book of reference.
- 2.—(1.) The sanitary authority shall not, under the powers of this Order, without the consent of the Local Government Board, purchase or acquire ten or more houses which, after the confirmation of this Order, have been, or, on the fifteenth December last were, occupied either wholly or partially

Compulsory powers to take lands and premises.

Provisions as to housing of the labouring classes.

by persons belonging to the labouring classes as tenants or lodgers unless and until— A.D. 1892.  
Addition.

(a.) They have obtained the approval of the Local Government Board to a scheme for providing new dwellings for such number of persons as were residing in such houses on the fifteenth day of December last, or for such number of persons as the Board shall, after inquiry, deem necessary, having regard to the number of persons on or after that date residing in such houses, and working within one mile therefrom, and to the amount of vacant suitable accommodation in the immediate neighbourhood of such houses or to the place of employment of such persons, and to all the circumstances of the case; and

(A.) They have given security to the satisfaction of the Local Government Board for the carrying out of the scheme.

(2.) The approval of the Local Government Board to any scheme under this clause of this Order may be given either absolutely or conditionally, and after the Board have approved of any such scheme, they may approve, either absolutely or conditionally, of any modification in the scheme.

(3.) Every scheme under this clause of this Order shall contain provisions prescribing the time within which it shall be carried out, and shall require the new dwellings proposed to be provided under the scheme to be completed fit for occupation before the persons residing in the houses in respect of which the scheme is made are displaced: Provided that the Local Government Board may dispense with the last-mentioned requirements, subject to such conditions, if any, as they may deem fit.

(4.) Any conditions subject to which the Local Government Board may have approved of any scheme, or of any modification of any scheme, under this clause, or subject to which they may have dispensed with the above-mentioned requirements, shall be enforceable by a writ of mandamus to be obtained by the Local Government Board out of the High Court.

(5.) If the sanitary authority acquire or appropriate any house for the purposes of this Order, in contravention of the foregoing provisions, or displace or cause to be displaced the persons residing in any house in contravention of the requirements of the scheme, they shall be liable to a penalty of five hundred pounds, in respect of every such house which shall be recoverable by the Local Government Board by action in the High Court, and shall be carried to and form part of the consolidated fund of the United Kingdom: Provided that the Court may, if it think fit, reduce such penalty.

(6.) Subject to the provisions of this clause, the sanitary authority and the Local Government Board and their inspectors shall have and may exercise for any purpose in connexion with any scheme under this clause all or any of the powers vested in them under the Public Health (Ireland) Act, 1878, in the same manner in every respect as if the preparation and carrying into effect of such scheme were one of the general purposes of that Act: Provided that all lands on which any buildings have been

41 & 42 Vict.  
c. 52.

A.D. 1892,  
*Athlone.*

erected or provided by the sanitary authority in pursuance of any scheme under this clause shall, for a period of twenty-five years from the confirmation of this Order, be appropriated for the purpose of dwellings, and every conveyance, demise, or lease of such lands and buildings shall be 5  
enclosed with notice of this clause: Provided also that the Local Government Board may at any time dispense with all or any of the requirements of this sub-section of this clause, subject to such conditions (if any) as they may deem fit.

- (7.) The sanitary authority shall, if required by the Local Government Board, pay to the said Board a sum to be fixed by that Board in respect of the preparation and issue of any order in pursuance of this clause of this Order, and any expenses incurred by the said Board in relation to any inquiries under this clause, including the expenses of any witnesses summoned by the inspector holding the inquiry, and a sum to be fixed by that Board, not exceeding three guineas a day, for the expenses of such 15  
inspector.

- (8.) For the purposes of this clause the expression "labouring class" includes mechanics, artisans, labourers, and others working for wages, hawkers, costermongers, persons not working for wages but working at some trade or handicraft without employing others except members of their own 20  
family, and persons other than domestic servants whose income does not exceed an average of thirty shillings a week, and the families of any such persons who may reside with them.

Interpretation  
of terms.

3. The words "land" and "lands" in the Lands Clauses Acts shall, for the purposes of this Order, extend to and include lands, buildings, easements, 25  
lands covered with water, and rights to take and convey water.

Duration of  
compulsory  
powers.

4. The powers of compulsory purchase given by this Order shall not be exercised after the expiration of three years from the confirmation of this Order.

Costs and  
expenses of  
Order.

5. The costs and expenses of the sanitary authority and of the Local Government Board of and incidental to the application for preparing and obtaining this Order and the confirmation thereof by Parliament, shall be paid by the sanitary authority, by means of the rate leviable by them for sanitary expenses under the Towns Improvement (Ireland) Act, 1854, as amended by the Public Health (Ireland) Act, 1878. 30  
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17 & 18 Vict.  
c. 103.  
41 & 42 Vict.  
c. 59.  
Short title of  
Order.

6. This Order may be cited and referred to for all purposes as the *Athlone Waterworks Provisional Order, 1892.*

Given under our Hands and Seal of Office this Ninth day of May,  
in the year of Our Lord One thousand eight hundred and ninety-  
two.

(L.S.)

(Signed)

GEORGE MORRIS.  
H. A. ROBINSON.

40

CASTLETOWN-BEREHAVEN WATERWORKS.  
PROVISIONAL ORDER.

A.D. 1892.

*Castletown-  
Berehaven.*

WHEREAS the Guardians of the Poor of the Castletown Union (herein-after called the sanitary authority), being the rural sanitary authority of the district consisting of the said Union, are about to construct waterworks for the purpose of supplying the town of Castletown-Berehaven, within the said district with water, and have presented a petition to the Local Government Board for Ireland (herein-after called the Local Government Board), in pursuance of the Public Health (Ireland) Act, 1878, praying that they may be allowed to put in force the powers of the Lands Clauses Acts with respect to the purchase and taking of lands otherwise than by agreement with reference to certain lands and premises required for the purposes of the said works.

61 & 62 Vict.  
c. 32.

And whereas the sanitary authority have deposited in the office of the Local Government Board in Dublin plans and a book of reference (herein-after called the deposited plans and book of reference) showing the works intended to be executed, and the lands and premises required for the purposes of the said works.

And whereas all advertisements and notices required by the said Act having been previously duly published served and given, the Local Government Board have caused a local inquiry to be held as to the propriety of assenting to the prayer of the said petition, and it appears to the said Board to be proper to assent thereto.

It is ordered by the Local Government Board as follows :—

1. From and after the confirmation of this Order by Parliament, the sanitary authority shall be empowered to put in force the powers of the Lands Clauses Acts with respect to the taking of lands, otherwise than by agreement with reference to the lands, premises, easements, lands covered with water and rights to take and convey water described in the deposited plans and book of reference.
2. For the purposes of this Order, the terms land and lands in the Lands Clauses Acts shall extend to and include messuages, buildings, lands, easements, and hereditaments of any tenure, and also lands covered with water and rights to take and convey water.
3. The powers of compulsory purchase given by this Order shall not be exercised after the expiration of three years from the confirmation of this Order.
4. The costs and expenses of the Local Government Board, and of the sanitary authority of and incidental to the application for, obtaining, and confirming this Order and otherwise incurred in relation thereto shall be paid by the sanitary authority as special expenses, and shall be charged on the area of charge fixed for the expenses of the said waterworks.
5. This Order may be cited and referred to for all purposes as the Castletown-Berehaven Waterworks Provisional Order, 1892.

Compulsory powers to take lands, easements, and water.

Interpretation of terms.

Duration of compulsory powers.

Costs of Order.

Short title of Order.

Given under our Hands and Seal of Office this Ninth day of May, in the year of Our Lord, One thousand eight hundred and ninety-two.

(I.A.)

GEORGE MORRIS.  
H. A. ROBINSON.

COOKSTOWN WATERWORKS.  
PROVISIONAL ORDER.

WHEREAS the Guardians of the Poor of the Cookstown Union (hereinafter called the sanitary authority) are the rural sanitary authority of the rural sanitary district, consisting of the Cookstown Union, and are about to construct waterworks for the purpose of providing a supply of water for the town and district of Cookstown within the said sanitary district, and have presented a petition to the Local Government Board for Ireland (hereinafter called the Local Government Board), in pursuance of the Public Health (Ireland) Act, 1878, praying that they may be allowed to put in force the powers of the Lands Clauses Acts with respect to the purchase and taking of lands otherwise than by agreement with reference to certain lands and premises required for the purposes of the said works.

And whereas the sanitary authority have deposited at the office of the Local Government Board in Dublin plans and a book of reference (hereinafter called the deposited plans and book of reference), showing the works intended to be executed, and the lands, easements, lands covered with water, and rights to take and convey water required for the purposes of the said works:

And whereas all advertisements and notices required by the Public Health (Ireland) Act, 1878, having been previously duly published, served and given, the Local Government Board have caused a local inquiry to be made as to the propriety of assenting to the prayer of the said petition, and it appears to Local Government Board to be proper to assent thereto:

It is ordered by the Local Government Board as follows:—

1. From and after the confirmation of this Order by Parliament, the sanitary authority shall be empowered to put in force the powers of the Lands Clauses Acts, with respect to the purchase and taking of lands otherwise than by agreement, with reference to the lands, premises, easements, springs, lands covered with water, and rights to take and convey water, described and shown in the deposited plans and book of reference.
2. For the purposes of this Order, the terms land and lands, in the Lands Clauses Acts, shall extend to and include messuages, buildings, lands, easements, springs, and lands covered with water, and rights to take and convey water.
3. The power of compulsory purchase given by this Order shall not be exercised after the expiration of three years from the confirmation of this Order.
4. All costs, charges, and expenses of the Sanitary Authority, and of the Local Government Board, of and incidental to the application for obtaining and confirming this Order, and otherwise in relation thereto, shall be paid by the sanitary authority as special expenses charged upon the area of charge fixed for the purposes of the said waterworks.
5. This Order may be cited and referred to for all purposes as the Cookstown Waterworks Provisional Order, 1892.

Given under our Hands and Seal of Office this Ninth day of May, in the year of Our Lord, One thousand eight hundred and ninety-two.

(L.S.)

GEORGE MORRIS,  
H. A. ROBINSON.

A.D. 1892.  
Cookstown.

41 & 42 Vict.  
c. 59.

41 & 42 Vict.  
c. 52.

Compulsory  
powers to take  
lands, eases-  
ments, and  
water.

Interpretation  
of terms.

Duration of  
compulsory  
powers.

Costs of Order.

Short title of  
Order.

SKIBBEREEN WATERWORKS.

A.D. 1892.

PROVISIONAL ORDER.

Skibbereen.

WHEREAS the Guardians of the Poor of the Skibbereen Union (herein-after called the sanitary authority), being the rural sanitary authority of the district consisting of the said union, are about to construct waterworks for the purpose of supplying the town of Skibbereen, within the said district, with water, and have presented a petition to the Local Government Board for Ireland (herein-after called the Local Government Board) in pursuance of the Public Health (Ireland) Act, 1878, praying that they may be allowed to put in force the powers of the Lands Clauses Acts with respect to the purchase and taking of lands otherwise than by agreement, with reference to certain lands and premises required for the purposes of the said works :

41 & 42 Vict.  
c. 52.

And whereas the sanitary authority have deposited in the office of the Local Government Board in Dublin a plan and a book of reference (herein-after called the deposited plan and book of reference) showing the works intended to be executed, and the lands and premises required for the purposes of the said works :

And whereas all advertisements and notices required by the said Act having been previously duly published, served, and given the Local Government Board have caused a local inquiry to be held as to the propriety of assenting to the prayer of the said petition, and it appears to the said Board to be proper to assent thereto :

It is ordered by the Local Government Board as follows :—

1. From and after the confirmation of this Order by Parliament, the sanitary authority shall be empowered to put in force the powers of the Lands Clauses Acts with respect to the purchase and taking of lands otherwise than by agreement with reference to the lands, premises, easements, lands covered with water, and rights to take and convey water, described in the deposited plan and book of reference.
2. For the purposes of this Order the terms land and lands in the Lands Clauses Acts shall extend to and include messuages, building, lands, easements, and hereditaments of any tenure and also lands covered with water, and rights to take and convey water.
3. The powers of compulsory purchase given by this Order shall not be exercised after the expiration of three years from the confirmation of this Order.
4. The costs and expenses of the Local Government Board and of the sanitary authority of and incidental to the application for, obtaining, and confirming this Order, and otherwise incurred in relation thereto, shall be paid by the sanitary authority as special expenses, and shall be charged on the area of charge fixed for the expenses of the said waterworks.
5. This Order may be cited and referred to for all purposes as the Skibbereen Waterworks Provisional Order, 1892.

Compulsory powers to take lands, easements, and water.

Interpretation of terms.

Duration of compulsory powers.

Costs of Order.

Short title of Order.

Given under our Hands and Seal of Office this Ninth day of May, in the year of Our Lord One thousand eight hundred and ninety-two.

(L.S.)

(Signed) GEORGE MORRIS.

H. A. ROBINSON.